

Briefing Outline for Siting Committee Presentation

ABENGOA SOLAR POWER PROJECT

(09-AFC-5C)

Contact: Dale Rundquist, 651-2072

Time Needed: 10 minutes

Action Requested of Siting Committee: This is an informational item for review

Business Meeting Date: June 13, 2012

Background: The 250-megawatt solar thermal project was certified by the Energy Commission on September 8, 2010. The facility will be located approximately twenty miles northwest of the City of Barstow in San Bernardino County, California. The Project started construction on August 29, 2011.

SUMMARY OF PETITION

- On March 30, 2012, Abengoa Solar Inc. filed a petition with the California Energy Commission requesting to remove the wording in Condition of Certification BIO-7 requiring vehicular traffic during project construction and operation not to exceed a speed of 25 miles per hour on Harper Lake Road. The petition was docketed and placed on the web site on April 13, 2012.
- The modifications proposed in the petition would reduce the public safety hazard caused by requiring project-related vehicles to drive at 25 MPH, which is substantially less than the posted 55 MPH speed limit on Harper Lake Road.
- There were no comments received during the 30-day comment period.

STAFF ANALYSIS

- Staff analyzed the petition and determined that there will be no significant impacts as a result of the proposed amendment.
- This Staff Analysis contains the Energy Commission staff's evaluation of the affected technical area Biological Resources.
- **Biological Resources:** According to staff's analysis, worker environmental awareness training, adherence to posted speed limits, and desert tortoise monitoring along Harper Lake Road during construction will reduce impacts to less than significant levels and are included in conditions of certification **BIO-5** and **BIO-7**. The increase in speed from 25 MPH to the posted speed limit of 55 MPH on Harper Lake Road was evaluated in staff's analysis, but the condition of certification **BIO-7** line item #3 did not reflect the posted speed limit. Therefore the change to allow project-related vehicles to drive the posted speed limit on Harper Lake Road will not cause any additional impacts to desert tortoise.

PUBLIC PROCESS

- The Petition to Amend the project was filed on March 30, 2012 and posted on the Energy Commission's website on April 13, 2012.
- Notice of Receipt mailed to the post-certification mailing list and affected public agencies, docketed and posted on the Energy Commission website on May 2, 2012.
- Staff analysis was mailed to interested parties on May 10 and May 22, 2012.
- The staff analysis was docketed on May 7, 2012 and posted on the Energy Commission website on May 10, 2012.

FINDINGS

- The petition meets all the filing criteria of Section 1769(a) concerning post-certification project modifications;
- The modification will not change the findings in the Energy Commission's Final Decision pursuant to Section 1755;
- The project will remain in compliance with all applicable laws, ordinances, regulations, and standards, subject to the provisions of Public Resources Code section 25525;
- The proposed modifications to the Biological Resources Conditions of Certification will result in a beneficial change by ensuring that the change to allow project-related vehicles to drive the posted speed limit on Harper Lake Road will reduce the public safety hazard and will not cause any additional impacts to desert tortoise; and
- The proposed amendment is necessary for purposes of public safety and for consistency with California state law.

RECOMMENDATION

- Staff recommends that the Energy Commission approve the project modification and associated revision to the biological resources condition of certification based upon staff's findings and subject to the revised condition of certification.